

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Case No. **23-CR-00185-HFS**

LAURO OLIVARES-REBOLLAR,
Defendant.

MOTION TO CONTINUE TRIAL

COMES NOW defendant Lauro Olivares-Rebollar, by and through counsel, Laura E. O'Sullivan, and respectfully requests this Court to continue the trial of this matter currently set for the March 18, 2024, to the October 21, 2024 trial docket. Mr. Olivares-Rebollar offers the following in support:

1. On August 16, 2023, an Indictment was filed charging Mr. Olivares-Rebollar with one count of conspiracy to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846; one count of conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h); and one count of reentry by an illegal alien in violation of 8 U.S.C. § 1326(a). (Doc. 14).

2. On August 30, 2023, Mr. Olivares-Rebollar appeared before United States Magistrate Judge Lajuana M. Counts for his arraignment and detention hearing. The Court granted the government's motion for pretrial detention finding Mr. Olivares-Rebollar ineligible for release on a secured bond.

Mr. Olivares-Rebollar was remanded to the custody of the U.S. Marshal. The case was set on the trial docket on December 4, 2023. (Doc. 20).

3. Counsel requested a continuance of the trial from the December 4, 2023, docket, and this Court set the case for trial on March 18, 2024. (Doc. 24).

4. On January 9, 2024, counsel received additional discovery in this matter. This discovery is voluminous and includes approximately 23,232 additional pages of disclosure and includes surveillance and audio files.

5. Mr. Olivares-Rebollar and undersigned counsel require additional time to review the discovery, adequately investigate and prepare for trial, or seek other resolution. The defense cannot reasonably be ready for trial by March 18, 2024.

6. Byron Black, Assistant United States Attorney, was consulted and does not object to this continuance.

7. On February 3, 2024, Mr. Olivares-Rebollar was advised of his Speedy Trial rights and consented to this continuance request.

8. This continuance is not sought for the purpose of dilatory delay, but is sought in truth and fact that Mr. Olivares-Rebollar may be afforded due process of law under the Fifth Amendment to the United States Constitution and afforded effective assistance of counsel under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), it is submitted that the above stated reasons for a continuance outweigh the best interest of the public and the defendant to a speedy trial, which is required by 18 U.S.C. § 3161(c)(1).

9. Under the provisions of 18 U.S.C. § 3161(h)(8)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE Mr. Olivares-Rebollar respectfully requests this Court to remove this case from the March 18, 2024, trial docket, and to continue this case to the October 21, 2024, trial docket, and for such other relief this Court deems just and proper.

Respectfully Submitted,

/s/ Laura O'Sullivan

Laura O'Sullivan, #41318

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CERTIFICATE OF SERVICE

On February 5, 2024, I served this document by depositing an electronic copy of it in the Court's CM/ECF system, which shall distribute notice to all attorneys of record.

/s/ Laura O'Sullivan

Laura O'Sullivan